



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Price Field Office
125 South 600 West
Price, UT 84501
<http://www.blm.gov/utah/price/>

m/015/041
cc: Paul



3809
UTU-69860
(U-070)

CERTIFIED MAIL #7004 2510 0005 4747 4549
RETURN RECEIPT REQUESTED

OCT 26 2005

NOTICE OF DECISION

Karen Palmer
Diamond K Gypsum, Inc.
1720 South Red Hills Dr.
Richfield, Utah 84701

Dear Mrs. Palmer:

On July 21, 2005, we received your mining plan amendment to construct approximately 520 feet of new road between the mine's main access road southwest to the northwest edge of Area C3 and across Area C3 to Area C4. Also in this plan amendment you state you will reclaim Area C3 with the exclusion of the area needed for road construction. Because this road access crosses areas already disturbed by mining activity and because portions of the mine and old road will be reclaimed, you have approval to proceed with the road construction activity subject to the following provisions:

- All other conditions as modified shall continue to remain in effect.
- The maximum disturbed acreage does not exceed 5 acres.
- All other conditions as modified shall continue to remain in effect.
- Stipulations in Exhibit 1

Also, on August 17, 2005, Rebecca Doolittle visited with you at the mine site, where you discussed this proposed plan amendment, and the installation of a locked gate to help prevent the vandalism of mine equipment. During the meeting Ms. Doolittle gave you verbal approval to install this gate, provided you mail the BLM a copy of the key, which we received the key on October 20, 2005.

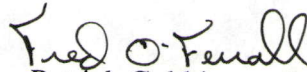
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OCT 28 2005

DIV. OF OIL, GAS & MINING

You have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise your right, your appeal accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of this decision, must be filed in writing within 30 days from the date of this decision. This decision will remain in effect during the appeal unless a written request for a stay is granted.

Sincerely,


Patrick Gubbins
for Field Manger

Enclosure: Exhibit 1

cc: Paul Baker, DOGM, 1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801

Exhibit 1

EA Log No.: UT-067-91-04

Lease/Serial No. UTU-69860

Project: Revision of B&J Plan of Operations/Gypsum Mine

Project Location: T.22 S. R. 9 E., Sec. 29 and 30

Applicant: Diamond K Gypsum, Inc.

BLM Office: Price Field Office

Phone No. (435) 636-3600

The following stipulations have been developed to mitigate adverse environmental impacts which may result from the action permitted by the accompanying decision. The action permitted and its anticipated impacts are fully described in the environmental assessment or categorical exclusion referenced above.

Exhibit 1

1. If subsurface cultural values are exposed during the course of operations, work shall cease at the site and the Price Field Office shall be notified. All employees working in the area shall be informed by the operator that they will be subject to prosecution for disturbing identified cultural sites or picking up artifacts.
2. Best management practices shall be used for mine level road construction and use, to prevent undue erosion of the road surface and release of sediment into areas adjacent the road.
3. Disturbed areas shall be re-contoured such that an undulating surface is left. The re-contoured area shall be furrowed parallel to the contours and such that a roughened surface is left.
4. The following seed mixture shall be used during reclamation at a rate of 6½ pounds per acre.

Plant Common Name	Plant Scientific Name	Pounds per Acre
Grasses		
Indian ricegrass	<i>Oryzopsis hymenoides</i>	2
needle and thread	<i>Stipa comata</i>	1
galleta grass	<i>Hilaria jamesii</i>	1
Shrubs & Forbs		
shadscale	<i>Atriplex confertifolia</i>	½
fourwing saltbush	<i>Atriplex canescens</i>	½
winterfat	<i>Eurotia lanata</i>	½
yellow sweet clover	<i>Melilotus officinalis</i>	½
scarlet globemallow	<i>Sphaeralcea coccinea</i>	½
Total		6 ½

5. No oil, lubricants, or toxic substances shall be drained onto the ground surface.
6. The area shall be kept litter free. Trash shall be collected and contained, and shall not be allowed to accumulate.
7. Reclaimed areas shall be fenced if deemed necessary by the authorized officer. Fences shall consist of three strands of barbed wire. Fences shall be removed by the operator when reclamation has been determined to be complete.

8. Stockpiles shall not be allowed outside the pit and the stockpile height shall not exceed in height the original elevation of the land surface.
9. The Price Field Office shall be notified at least 10 days in advance of commencement of any new activity in mine areas C and D.
10. Reclamation shall be considered to be complete when so determined by the authorized officer. The reclaimed site shall be contoured, seeded, and covered with soil amendments and mulch. Reseeding and other methods required if revegetation is not successful within five years after reseeding. The revegetation shall be considered successful when vegetation density is at least 75% of the vegetation density of the surrounding area.